

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
BRUNSWICK DIVISION**

DANTE G. FREDRICK,

Plaintiff,

v.

SGT. ERIC WATSON; MAJOR FNU  
MASTROIANNI; and SHERIFF JAMES K.  
PROCTOR,

Defendants.

CIVIL ACTION NO.: 2:20-cv-121

**ORDER**

This matter comes before the Court on its Report and Recommendation, entered on January 27, 2021. Doc. 38. I recommended the Court dismiss Plaintiff's Complaint for failure to follow a Court Order, as Plaintiff appeared to fail to respond to Defendants' Motion to Dismiss, despite the Court ordering him to do so. Id. However, on January 28, 2021, the Court received Plaintiff's response, which is dated January 18, 2021. Doc. 40. Thus, Plaintiff's response is timely. Accordingly, I **VACATE** the January 27, 2021 Report and Recommendation. Additionally, Defendants are advised they are permitted to file a Reply in support of their Motion to Dismiss, in accordance with the Federal Rules of Civil Procedure and the Court's Local Rules, if they wish to do so.

**SO ORDERED** this 1st day of February, 2021.



BENJAMIN W. CHEESBRO  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA